



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY  
**NEWS RELEASE**

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Department of Toxic Substances Control

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**\$105,000 Settlement Reached with Metal Surfaces, Inc.**

Bell Gardens --- The California Department of Toxic Substances Control (DTSC) today announced that it has reached a \$105,000 settlement with [Metal Surfaces, Inc. \(MSI\)](#) for hazardous waste violations at its facility at 6060 Shull Street in Bell Gardens.

Under terms of the settlement, signed on April 8, 2003, MSI will pay a penalty of \$105,000, of which \$6,128 represents costs incurred by DTSC in conducting the enforcement action and \$98,872 is a civil penalty. A copy of the consent order, which formalizes the settlement, is available on the DTSC website at [www.dtsc.ca.gov](http://www.dtsc.ca.gov).

The settlement stems from violations revealed during inspections by DTSC's State Regulatory Programs Division on September 11 and November 6, 2001. DTSC inspectors noted the following violations:

- Failure to obtain proper treatment permits or grant authorizations to treat several different types of hazardous waste
- Storage of hazardous waste in an unsafe manner
- Exceeded discharge limits for lead, nickel, and total metals into the Publicly Owned Treatment Works
- Failure to clean spilled hazardous wastes
- Failure to separate containers of incompatible hazardous wastes
- Storage of hazardous wastes on site for more than 90 days
- Failure to properly label containers holding hazardous waste
- Failure to maintain waste analysis records for all hazardous wastes treated onsite
- Failure to maintain a written analysis plan for all hazardous wastes treated onsite
- Failure to clean spilled hazardous wastes
- Failure to disclose correct information on Hazardous Waste Treatment Notification forms to the local CUPA
- Failure to properly label a metal tray comprising part of a treatment unit with a unit identification number and the name of the person that owns or operates the treatment unit
- Failure to keep containers of hazardous waste closed

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As part of the settlement, MSI agreed to send four representatives of the company, whose duties involve hazardous waste management, to complete the California Compliance School (CCS). CCS is a joint effort between DTSC and Bakersfield Community College. Through this partnership, CCS has developed training modules to provide students with "hands-on" instruction on how to comply with hazardous waste statutes and regulations.

When MSI submits certificates of satisfactory completion of CCS, DTSC will credit MSI \$5,000 toward the \$98,872 penalty. MSI must submit the certificates to DTSC within 185 days of the effective date of the settlement or the \$5,000 will be due and payable within 30 days from the 185-day deadline.

Although the violations stated above have been corrected, DTSC is not limited from taking appropriate enforcement actions against MSI for future violations at this facility.

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**The Department of Toxic Substances Control's mission is to restore, protect, and enhance the environment and ensure public health, environmental quality and economic vitality by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.**

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*"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov)."*